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Viewing cable 08PORTAUPRINCE341, HAITI IN 2008: FOUR YEARS AFTER ARISTIDE

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PREL

SUBJECT: HAITI IN 2008: FOUR YEARS AFTER ARISTIDE

REF: A. PORT AU PRINCE 232
1B. 07 PORT AU PRINCE 1955
1C. PORT AU PRINCE 126
1D. PORT AU PRINCE 237
1E. 07 PORT AU PRINCE 1880

Classified By: Ambassador Janet A. Sanderson for reasons 1.4 (b) and (d).).

11. (C) Summary: Four years after the resignation of President Jean-Bertrand Aristide, Haiti now enjoys a degree of stability not seen here in almost a decade. A democratically elected President and Parliament, a growing national police force, strong international support, led by the United States, and the presence of a UN peacekeeping force, are primarily responsible for this positive development. Haiti's progress, however, remains fragile, and much work remains to be done. Executive-legislative relations have improved but still are marked more by confrontation than by productive cooperation. Key judicial reform legislation has passed, but other parts of the government await modernization. With security improved, the chronic misery suffered by the majority of Haitians is emerging as the main challenge for the government. This issue, if left unaddressed, could galvanize potentially disruptive forces, including grassroots organizations linked to the party of former President Aristide. Exogenous factors such as the death or incapacitation of the President could likewise upset Haiti's fragile recovery. Haiti's democratic institutions are taking hold but their roots are still shallow. We assess that Haiti's receptivity to Aristide's return or the rise of an Aristide-like messiah-figure remains low, but could rise if Haiti's institutional consolidation falters or if the economy suffers a major downturn.

12. (C) Summary Continued: Consolidating Haiti's political institutions - key to the nation's future - will require building the capacity of weak GoH institutions plagued by systemic corruption, including the parliament, political parties, and government ministries. President Preval has proven capable of structuring a working consensus on issues of national interest, although he has failed to meet key constitutional benchmarks, such as the holding of senatorial elections. Political parties, motivated more by strong personal agendas than by political ideologies, still struggle for greater involvement in the government and political life.

A young parliament coping with inexperienced lawmakers and a bloated and ineffective staff, needs to buckle down in order to earn the respect of the citizens and the Executive Branch.

Prospects for continued stability through the next presidential transition remain good, but by no means assured. A protracted political crisis, the death or disability of President Preval, or a perceptive departure by MINUSTAH, could call into question that transition. Haiti's continued democratic evolution will require that the GoH and its international partners remain focused on long-term institution-building. The U.S. leadership role in this process is critical, demanding our continued political and financial engagement for the long term. End summary.

Introduction

13. (C) Since Jean-Bertrand Aristide's departure, four years ago today, Haiti has made important progress in shaping a brighter future for its citizens. With a democratically elected president and parliament and a constitutionally mandated/consensus government in place, an emerging civil society, an improving (albeit imperfect) security environment, and progress on the macroeconomic front, today's Haiti is a long way from that of 2004. However, these changes have been hard won and it is, as of yet, unclear if the fragile advances we see on the ground here are indeed irreversible. At very least, they will require much reinforcement and care. That being said, remembering the violence, political crises and instability, and social disruption that marked Haiti four years ago, Haitians - and their friends - can take pride in the accomplishments of the past few years.

Executive Branch

14. (C) Rene Preval came to the presidency in an election that was seen by most observers, both within Haiti and without, as being generally open, free and fair. Following two years of a maladroit, generally unpopular interim government, Preval made no claims of omnipotence, telling his countrymen he would roll up his sleeves and get to work. His passive-aggressive leadership style (low key and passive in public but aggressively managing the smallest details in private) has so far served him reasonably well. His main accomplishment - achieved with a quiet and cautious approach largely behind the scenes - has been to defuse the deep political tensions that threatened to engulf the country at the time of Aristide's resignation on February 29, 2004. He has achieved a degree of broad cooperation with his political agenda. For example, he successfully gathered interested parties to resolve heated debates over contentious issues like justice reform and the formation of a new Provisional Electoral Council (CEP). However, Preval refuses to take to the bully pulpit to advocate his consensus policies. He rarely appears in public and refuses to use the power of the presidency to rally the nation. At the same time, Preval exhibits a dogged unwillingness to delegate. His failure to give autonomy to an enthusiastic Prime Minister or share power with Parliament has resulted in the need to build a new working consensus issue-by-issue. His over-involvement in the workings of GoH institutions stifles government initiative, as everyone waits for Preval to make decisions and very few are prepared to tell him "no."

15. (C) The lagging development of government capacity impedes development on all fronts. Government ministries, more flush with funds than anytime in recent years, lack the capacity to spend the money in their budgets. Like all Haitian institutions, ministries are vulnerable to corruption. Passive in his approach to capacity building, Preval has done virtually nothing to identify, recruit, promote, or otherwise reward capable government workers. The functioning of entire ministries continues to depend on one or two key members of the permanent staff, whose careers lack the protection of a civil service system. Haiti is still a long way from having ministries with the institutional capacity to outlast changes of directors, staff, and political changes at the top: ministers and the President of the Republic.

16. (C) The current government is fragile and faces periodic assaults by an irresponsible legislature, either chamber of which has the power to sack one or more ministers or the entire government. Rumors of an imminent cabinet shakeup surface periodically. Minister of Public Works Frantz Verella and Minister of Commerce Maguy Durce top a long list of ministers whom civil society representatives, political parties, and the private sector argue should be replaced. Parliamentarians frequently remind Prime Minister Alexis that they have the power to dismiss the government, and threaten votes of no confidence periodically. In the latest example of this, the Prime Minister was summoned to the Chamber of

Deputies February 28 to defend his government's economic policies (septel). Although he easily won back a vote of no confidence, the political uncertainty the debate engendered has stalled movement in key areas, including elections.

¶7. (C) Preval has taken a sometimes lax attitude toward Haiti's constitutionally mandated electoral schedule (although on other issues, such as amending the constitution by executive fiat, he has been more doctrinaire.) The successful elections of 2006 were a solid milestone on Haiti's path toward a stable democracy. However, the GoH missed the next crucial benchmark: elections to renew one-third of the Senate should have been held in November 2007, but even now the GoH has yet to announce an election date. Interruptions in the election cycle and a capricious attitude of the executive toward parliamentary elections were one of the major factors undermining the democratic process during the Aristide era (which includes Preval's first term).

While Preval is right in arguing that the current electoral calendar, as mandated by the 1987 Constitution, is burdensome and expensive, it is crucial that the electoral process continue to consolidate the initial momentum and enthusiasm for elections generated by the 2006 national elections.

¶8. (C) Preval's thus-far successful leadership style is running up against a non-cooperative economy. The Haitian economy has stabilized, but the lot of Haiti's poverty-stricken majority is hardly better, and expectations the government should do something to help the poor immediately are beginning to grow. In opening weeks of 2008, Preval made several public appearances emphasizing local production to combat suffering from the high cost of living. However, the GoH has taken no direct steps to combat the high cost of living and demands for action are mounting (ref A). (Note: Post will report septel on Haiti's economic landscape.

End note.)

Parliament

¶9. (C) Most parliamentarians are wholly inexperienced and indifferent to their constitutional role as legislators and counterweights to the Executive. Parliamentarians' interest in playing the role of "development agents" in their representative districts takes precedence over legislation, as they spend much time lobbying GoH ministries and international donors for project funding. Absenteeism is chronic -- aggravated by frequent foreign trips legislators seek for the handsome per diem they are awarded. When in session, members often prefer posturing on diversionary issues -- such as the double nationality of many legislators -- to focusing on substantive political issues. The resulting dearth of legislative action provides fodder to skeptics who question Parliament's utility. Despite the legislature's poor performance, cooperation between the Executive and the Parliament has improved over the last two years, with dialogue between the ministries and the Parliament occurring frequently.

¶10. (C) Parliament has abdicated legislative initiative to the Executive, where nearly all bills originate. When the legislature receives bills from the President, neither chamber has an established system to consider, debate, amend, or vote on the bills. The process for tracking the whereabouts of and changes to proposed legislation is haphazard and disorderly. Members often show up to vote on a bill having never seen the text. There is no prioritization of the "legislative menu" by either parliamentary leadership or the executive branch. The major success in the last year was the passage in the Senate and Chamber of major judicial reform legislation establishing a judicial council and defining the role of magistrates (ref B).

¶11. (SBU) The Parliament faces a severe shortage of human and material resources. It operates with a limited number of qualified technical staff, and only members of the two chambers' executive bureaus have offices and computers.

Space for committee meetings is limited to one or two rooms in each chamber, so several committees cannot meet concurrently. Advancement in 2008 will require reform of the internal regulations of both chambers and the passage of a statute governing the roles of parliamentary staff.

¶12. SBU) The election of Kely Bastien as new Senate president (ref C) is an encouraging sign for the maturation of Parliament. With an agenda focused on restructuring both legislative houses, and with a majority support from his Senate colleagues, Bastien may just be the leader Parliament needs to curb its inefficiencies and lack of reliability. Bastien has promised to improve the current state of Executive-Legislative relations, institute decentralized and inclusive leadership in the Senate, and seek resources to properly train qualified Senate personnel.

Parties and Civil Society

¶13. (C) Although Haiti's democratic institutions are beginning to take root, the country has not yet developed cohesive political parties that democracies require. Party leaders and elected officials remain a disparate group of demandeurs focused on leading individuals and on procuring government resources for themselves and their constituencies.

Haiti's plethora of political parties remains largely personality-based. Most parties lack an ideology or organizational structure. Among the most popular parties, OPL (Struggling People's Party) is still the most structured and organized, though Senator Youri Latortue brings a great deal of discipline to his Artibonite in Action (LAAA) party. The two coalitions that took home the biggest wins in 2006 -- Fusion and Lespwa -- both find themselves in tenuous situations, with internal bickering and lack of consensus threatening to break them apart. Aristide's departure left his once-mighty party, Fanmi Lavalas, fractured and bereft of clear leadership. Continued infighting harms the party's credibility and undermines the party's main message -- Haiti's redemption through the return of Aristide.

¶14. (C) Civil society remains an important sector that has been included in all the major debates of the last year, from justice reform to elections. Although no longer banded together under the Group of 184 (the loose coalition of political parties, businesses and civil society organizations that played a leading role in ousting former President Aristide), civil society organizations still influence public opinion and are thus able to exert political pressure. Student groups and grassroots organizations mount periodic protests calling for GoH action to combat poverty, hunger and unemployment. Post assesses that these groups do not pose a threat to Haitian stability, as they are not interconnected and have no charismatic leader to rally around. More centrist groups, such as the Civil Society Institute, the Open Society Institute of Haiti, and Women in Democracy bring more sophisticated pressure to bear on the government.

Local Government and Decentralization

¶15. (SBU) Local government officials lack the basic administrative, managerial and leadership skills to fulfill their constitutional mandates. Local government budgets are too small and taxing authority too limited to take care of community needs, so they rely heavily on international aid and scant central government financing. The bulky, multi-tiered framework of local government, designed to create a decentralized state, thus far has only created confusion over roles and responsibilities of local officials.

Even with increased USG and international focus on supporting local government, there is still a general lack of confidence in local government among Haitians, hampering the decentralization process. Presidential inaction has halted the indirect elections process, leaving a large part of the decentralized structure incomplete.

¶16. (SBU) Haiti's weak organized labor sector lacks the initiative and organizational punch to make itself a significant political factor. Both private and government-owned enterprises dismiss union workers and organizers at will, but with little social echo. There have been a few demonstrations, numbering in the hundreds, of workers laid off from the bloated state telephone and electricity companies, but these have failed to merge with the more frequent street protests and parliamentary actions criticizing the government for inaction on inflation and job creation. Preval however has recently urged the private sector to follow the GoH's public sector initiative and increase the minimum wage. The GOH in its 2008 budget implemented a 20-35 percent wage increase for the public sector (ref D).

Security and Justice Reform

¶17. (C) For the foreseeable future, MINUSTAH's presence in Haiti as an armed peacekeeping force will be essential for the preservation of stability and security in the country. Haiti's own law enforcement capability continues to expand but clearly has a long way to go. Haitian National Police (HNP) numbers have increased, and residents of Port-au-Prince now see the police as a positive presence in their daily lives. There is a semblance of law and order at the street level. Slums like Cite Soleil continue to experience gang activity, albeit at a much lower level than a year ago (ref E). Citizens are slowly regaining trust in the HNP and are venturing out more often, even at night. No significant force in Haiti has the means or inclination to challenge legitimate authority. (Note: Post will report septel on Haiti's security environment. End note.)

¶18. (C) No matter the progress on the policing front, the inability of Haiti's weak and corrupt judiciary to effectively investigate and prosecute crime has created an atmosphere of impunity that threatens consolidation of Haiti's security gains, and hence, Haiti's stability. Despite gains in its capabilities, the HNP lacks the training, equipment, and mentality to pursue serious preliminary investigations to transfer to investigating magistrates. The Ministry of Justice, like every other ministry, lacks a competent staff, and is unable in the great majority of cases to produce cases that can hold up in court.

Judicial personnel lack basic knowledge of the law as well as case processing and management skills. Cases move erratically through the system, with legal deadlines in the penal chain overwhelmingly ignored. Prisoners are dumped in overcrowded jails for prolonged period awaiting trial, often with no scheduled dates for judicial hearings. Criminals and their cohorts can easily buy off or intimidate judges. Drug trafficking adds a vicious twist to the security problem, with police sometimes participating in and benefiting from drug trafficking. Particularly in the southern regions, deeply entrenched drug trafficking networks have infiltrated local police ranks and defied MINUSTAH efforts to uproot them (ref F). With the judicial system overwhelmed and unable to pursue prosecutions, prisoners released due to lack of charges often return to a life of crime, including kidnapping.

Looking Forward: Movers and Shakers

¶19. (C) With Parliament beginning to assert itself more aggressively against the Executive, Senate President Kely Bastien (Lespwa) and Chamber of Deputies President Eric Jean-Jacques (Lespwa) are rising in prominence. Haitians are already thinking about the race to take the Presidential Palace in 2011. Obvious candidates so far include PM Jacques-Edouard Alexis and his archrival, Senator Youri Latortue; several senators and political elites; and hip-hop star Wyclef Jean, who is perhaps the best positioned to motivate large portions of the lower class in his favor.

Among the class of possible Presidential hopefuls, we see no one who mimics the politics or style of, or who is as dangerous to Haiti's democratic consolidation as, former President Aristide.

Comment

¶20. (C) Four years beyond Aristide, Haiti can point to important steps forward. We have seen marked progress in security, continuing prospects for which remain good through the next presidential transition - as long as MINUSTAH remains in-country with a robust security force. President Preval's guiding principles of consensus building likewise enhance the prospects for political stability. However, there is a sense here that more could have been done during Preval's first two years. Lack of progress on employment and cost of living are causing discontent with the government. A prolonged political crisis - such as the failure to move quickly to put a government in place should the Alexis government fall or the passing from the political scene of President Preval - could undermine the development of a political culture of compromise for the common good that Haiti's stability and long-term development desperately needs. It could also increase Haiti's susceptibility to the return of Aristide or the rise of an Aristide-wannabe, a probability we now assess as low. A serious effort to address the immediate economic concerns of the population is crucial, as is getting elections back on schedule, and the continued maturation of political parties and parliament.

¶21. (C) Comment continued: The U.S remains at Haiti's indispensable partner at this critical stage of its development. Our leadership and our support, both bilaterally and in concert with our international partners, is key to Haiti's success over the long term. Yet we remain a source of some resentment and occasional friction here which we will have to weather. Our assistance and policies directly affect the daily lives of nearly every Haitian, but our ability to influence outcomes in this sovereign country is limited. We must remain engaged, nimble, and imaginative, nurturing allies in Haitian society where we find them, and maintaining the current consensus within the engaged members of the international community that Haiti must stay on track. Success in Haiti - a democratic, prosperous, and secure Haiti - demands that we continue our strong policy focus and commitment into the next Haitian presidential transition (2011) with intensity equal to that of the past four years.

SANDERSON